IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SECOND APPEAL No 268 of 1976

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

HEIRS OF FARAMROZ D MUNSHI

Versus

PARINABANU DHANJI MUNSHI

Appearance:

MR JC VYAS for Appellants No. 1-1/4

..... for Appellants No. 1/5-2,3

NOTICE SERVED for Appellants No. 2/1-2/2,4

MR NR OZA for Respondents No. 1-2,3/2

MR KG VAKHARIA for Respondents No. 1,3/1-3/2

..... for Respondent No. 3

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 19/06/2003

ORAL JUDGEMENT

Mr. J.C. Vyas, the learned counsel for the appellants states that he had addressed a letter to one Jolly F. Munshi, an heir of appellant no.1 at the address stated in the memo of appeal but it has returned unserved with the remark that the old building had collapsed and the other address was not available. He has also shown the original envelope to me. It appears that the property which was the subject matter of the suit is no longer in existence and the parties are not interested in the present litigation. The appeal is, therefore, dismissed. Cross-objections are also dismissed. No order as to costs.

(M.C. Patel, J.)

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